

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RASH GHOSH,

No. C-14-2922 MMC

Plaintiff,

**ORDER GRANTING PLAINTIFF'S
REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE; NOTICE
TO PLAINTIFF**

v.

CITY OF BERKELEY, et al.,

Defendants.

Before the Court is plaintiff Rash Ghosh's "Request to Continue Case Management Conference," filed September 8, 2014. Having read and considered the request, the Court rules as follows.

In his request, plaintiff, who proceeds pro se, seeks a continuance of the September 26, 2014 Case Management Conference for a period of "90 days or as long as the Court sees fits." (See Pl.'s Req. at 1:20-21.) In support of said request, plaintiff states he is in the process of amending his complaint and thereafter effecting service on the named defendants.


As it appears unlikely any defendant will have an opportunity to respond to the operative complaint before September 26, 2014, the Court finds good cause exists to continue the Case Management Conference. Accordingly, plaintiff's request is hereby GRANTED, and the Case Management Conference is hereby CONTINUED from

1 September 26, 2014 to December 12, 2014, at 10:30 a.m. A Joint Case Management
2 Statement shall be filed no later than December 5, 2014.

3 Additionally, plaintiff is hereby advised that the deadline to serve defendants remains
4 October 23, 2014. See Fed. R. Civ. P. 4(m) (providing complaint must be served "within
5 120 days after the complaint is filed");¹ Wei v. Hawaii, 763 F.2d 370, 372 (9th Cir. 1985)
6 (holding plaintiff's "desire to amend his complaint before effecting service does not
7 constitute good cause" to extend 120-day deadline to serve defendants; observing plaintiff
8 "could have amended the original complaint after serving it upon the defendants").

9 **IT IS SO ORDERED.**

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11 Dated: September 16, 2014


MAXINE M. CHESNEY
United States District Judge

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¹Plaintiff filed his complaint on June 25, 2014.